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CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES
BY: G

1 Teresa McClendon
2 325 N. Maple Drive, Suite 186
3 Beverly Hills, CA 90213
4 Tel: (818) 535-1085

5 Plaintiff in pro per

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7
8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
10

11
12 TERESA MCCLENDON, an individual,

13 Plaintiff,

14 vs.

15
16 ALS aka Association Lien Services, a
17 California Corporation; Park Homes and The
18 Lofts Community Association; and DOES 1
through 10 inclusive,

19 Defendants.

CV16-1690-00W (PLA x)
Case No.

COMPLAINT FOR DAMAGES

(DEMAND FOR JURY TRIAL)

20 Plaintiff, Teresa McClendon, as and for her complaint against Defendant *s, All equals*

21 *AS follows:*

22
23
24 INTRODUCTION

25 1. This is an action for damages brought by an individual consumer for
26 Defendants violating the Fair Debt Collection Practices Act, 1 USC, Sec. 1692, and
27 the Rosenthal Fair Debt Collection Practice Act, Cal. Civ. Code, Sec. 1788, which
28

1 prohibits debt collectors and creditors from engaging in abusive, deceptive and unfair
2 practices. Plaintiff also alleges violations of the Davis-Stirling Act, Cal. Civ. Code,
3 Sec. 4000, and the California Business and Professions Code, Sec. 17200

4 **PARTIES**

5 2. Plaintiff is a natural person residing in Los Angeles, California.

6
7 3. Upon information and belief, the Defendant Association Liens Services is a
8 “debt collector” as defined pursuant to 15 U.S.C Sec.1692a(6) with its principal place
9 of business in Los Angeles, California.

10 4. Upon information and belief, the Defendant Park Homes and The Lofts
11 Community Association is an “association” as defined pursuant to Cal. Civil Code
12 Sec. 4080 and is a “creditor” as defined pursuant to Cal. Civ. Code Sec. 1788.2 with
13 its principal place of business in Los Angeles, California.
14

15 **JURISDICTION**

16 5. This Court has jurisdiction pursuant to 15 U.S.C. Sec. 1692k (FDCPA) and 28
17 U.S.C. Sec. 1331. Venue is proper in this district pursuant to 28 U.S.C. sec. 1391 (c),
18 as the Defendant corporations reside and regularly conduct business in this district.
19 Additionally, the Defendants are citizens of the State of California, and one or more
20 cause of action raises a federal question pursuant to 28 USC 1441.
21

22 **FIRST CAUSE OF ACTION**

23 6. Plaintiff re-alleges paragraphs 1 through 5 below herein

24 7. A personal debt was allegedly incurred by Plaintiff to several Home Owner
25 Associations, such as Defendant Park Homes and The Lofts Community Association.
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8. That at a time unknown to Plaintiff herein, the aforementioned debt was referred and/or assigned to ALS Association Lien Services.

Count One

9. Plaintiff re-alleges paragraphs 1 through 8 below herein

10. That Defendant ALS, Association Lien Services mailed numerous notices to Plaintiff in an attempt to collect the aforementioned debt on numerous dates up until on or about June 9, 2015.

11. Said notices, notwithstanding any and all other notices, stated in pertinent part:

“Enclosed, please find a copy of the Association Lien Services accounting ledger, which reflects the current balance due.

Please be advised we must receive full payment in a form of cashier's check or money order made payable to Association Lien Services or we have been instructed to proceed with non-judicial foreclosure process against your property"

12. Regarding the amount of said debt, Plaintiff is confused as to the exact amount due to defendant notices incorrectly stating overstated lien amounts which varied from \$1,101.24 to \$1,835.50

13. That said notice uses false, deceptive, misleading and overshadowing language, confusing the Plaintiff as to her consumer rights.

14. Defendants corporate license was suspended during the time it engaged in business operations with Plaintiff.

15. Defendants also sent collection letters in which it represented itself as a law firm on behalf of Association Lien Services

16. Defendant's use of deceptive language contains false statements and threats of action that cannot legally be taken or that are not actually intended to be taken and are designed to coerce payment under duress.

Count Two

17. Plaintiff repeats and re-alleges Paragraphs 1 through 16 each and every allegation set forth above as if reasserted and re-alleged herein.

18. That upon information and belief, Defendant ALS, Association Lien Services, has attempted to collect on amounts that are not authorized by agreement or permitted by law.

19. That Defendant, ALS, Association Lien Services, in an attempt to collect a debt, engages in a pattern of practice of communicating with consumers where the representations made by the Defendant are confusing, misleading, deceptive and/or unfair.

20. That as a result of Defendant's conduct, Plaintiff has suffered damages which include, but are not limited to, statutory damages, any actual damages sustained, other resulting monetary losses and damages, unnecessary stress, aggravation and anxiety.

21. That Defendant's conduct violates 15 U.S.C 1692, including but not limited to subsections (e), (f), and (g) in that the representations made by the Defendants are confusing, misleading, deceptive, harassing, unfair and fail to advise the consumer of her legal rights as required by law.

a. Defendant has violated 1692e by using false representations and employing deceptive and misleading means in an attempt to collect a debt;

1 b. Defendant has violated 1692f by using unfair and unconscionable means to
2 collect or attempt to collect a debt; and

3 c. Defendant has violated 1692g by using misleading and overshadowing
4 language in an attempt to collect the alleged debt and by contradicting
5 Plaintiff's rights.

6
7 22. That as per 15 USC Sec., 1692, and as result of the above violations,
8 the Defendant is liable to the Plaintiff for actual damages and statutory damages in an
9 amount to be determined at the time of trial but not less than \$1,000.00 per violation,
10 plus cost and attorney's fees.

11 **SECOND CAUSE OF ACTION**

12 23. Plaintiff re-alleges paragraphs 1 through 22 as if fully restated herein.

13
14 24. The Rosenthal Fair Debt Collection Practice Act (Rosenthal Act), California
15 Civil Code, Section 1788, prohibits unfair and deceptive acts and practices in the
16 collection of consumer debts.

17 25. That upon information and belief, Defendants have attempted to collect on
18 amounts that are falsely inflated, not authorized by agreement and/or not permitted by
19 law.
20

21 26. By its acts and practices as herein above described, the Defendants have
22 violated the Rosenthal Act as follows, without limitation:

23 a. By making the false representation that the consumer debt may be increased by
24 the addition of attorney's fees, investigation fees, service fees, finance charges,
25 or other charges if, in fact, such fees or charges may not legally be added to the
26 existing obligation, Defendants have violated section 1788.13(c);
27
28

b. By making a false representation that a legal proceeding has been, is about to be, or will be instituted unless payment of a consumer debt is made.

Defendants have violated Section 1788.13(j);

c. By failing to include certain debt collection notices and disclosures required by law; and

d. By the above-referenced violations of the FDCPA, Defendants have violated section 1788.17

27. According to section 1788.30 of the Rosenthal Act, Plaintiff is entitled to recover actual damages sustained as a result of the Defendant's violations of the Rosenthal Act. Such damages include, without limitation, statutory damages, any actual damages sustained, other resulting monetary losses and damages, and emotional distress suffered by Plaintiff, which damages are in an amount to be proven at trial.

28. In addition, because the Defendant's violations of the Rosenthal Act were committed willingly and knowingly, Plaintiff is entitled to recover, in addition to her actual damages, penalties of at least \$1,000 per violation as provided for in the Act.

29. According to section 1788.30(c) Rosenthal Act, Plaintiff is entitled to recover all attorneys' fees, cost and expenses incurred in the bringing of this action.

THIRD CAUSE OF ACTION

30. Plaintiff re-alleges paragraphs 1 through 29 as if fully restated herein.

31. The Davis-Sterling Common Interest Development Act (Davis-Sterling Act), California Civil Code, section 4000, regulates a home owner association's ability to collect on debts owed by its members.

1 32. That upon information and belief, Defendant Park Homes and The Lofts
2 Community Association has attempted to collect on amounts that are falsely inflated,
3 not authorized by agreement and/or not permitted by law in violation of the Davis-
4 Sterling Act.

5 33. By its acts and practices as hereinabove described, the Defendant Park Homes
6 and The Lofts Community Association has violated the Davis-Sterling Act as follows,
7 without limitation:
8

- 9 a. By charging Plaintiff various costs, interest and late fees in excess of the
10 amounts permissible by the law, Defendant has violated sections 5600 and
11 5650;
12 b. By failing to provide Plaintiff with proper notice regarding increased
13 assessments, Defendant has violated section 5615;
14 c. By refusing to accept Plaintiff's payments, Defendant has violated sections.
15 5655;
16 d. By failing to comply with notice requirements, Defendants has violated
17 sections 5660,5675, and 5705;
18

19 34. Plaintiff is entitled to recover her damages sustained as a result of the
20 Defendant's violations of the Davis-Sterling Act. Such damages include, without
21 limitation, statutory damages, any actual damages sustained, other resulting monetary
22 losses and damages, and emotional distress suffered by Plaintiff as well as attorney's
23 fees and costs, which damages are in an amount to be proven at trial.
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FOURTH CAUSE OF ACTION

35. Plaintiff re-alleges paragraphs 1 through 34 as if fully restated herein

36. The California Business and Professions Code, section 17200, prohibits unfair competition, which includes any unlawful, unfair or fraudulent business act.

37. That Defendants, by engaging the acts hereinabove described, has committed violations under FDCPA, the Rosenthal Act and the Davis-Sterling Act; that said acts are therefore per se violations of the California Business and Professions Code Section 17200.

38. That the harm caused by the Defendant's conduct outweighs any benefits that Defendants conduct may have.

39. That consumers are likely to be deceived, and that Plaintiff was in fact deceived, by Defendant's conduct.

40. That Defendants have been unjustly enriched by committing said acts.

41. That as a result of the Defendant's conduct, Plaintiff has been harmed and has suffered damages in the form of monetary losses, extreme embarrassment, humiliation, shame, stress, anxiety, aggravation and sleepless nights.

42. That as a direct proximate result of Defendant's unlawful, unfair and fraudulent business practices as alleged herein, Plaintiff has suffered injury in fact and lost money and/or property.

43. Pursuant to California Business and Professions Code section 17200, Plaintiff is entitled to recover her actual damages and restitution.

FIFTH CAUSE OF ACTION

44. Plaintiff re-alleges paragraphs 1 through 43 as if fully restated herein

45. The elements of fraud, which gives rise to the tort action for deceit, are (1) a misrepresentation, (2) with knowledge of its falsity, (3) with intent to induce another's reliance on the misrepresentation, (4) justifiable reliance, and (5) resulting damage (*Small v. Fritz Companies, Inc.* (2003) 30 Cal.4th 167, 173 [132 Cal.Rptr.2d 490, 65 P.3d 1255].)

46. Every element of a fraud cause of action must be specifically pleaded. (*Service By Medallion, Inc. v. Clorox Co.* (1996) 44 Cal.App.4th 1807 [52 Cal.Rptr.2d 650]; *Tarmann v. State Farm Mut. Auto. Ins. Co.* (1991) 2 Cal.App.4th 153, 157 [2 Cal.Rptr.2d 861].) This pleading requirement of specificity applies not only to the alleged misrepresentation, but also to the elements of causation and damage. As this court stated in *Service By Medallion, Inc.*, "In order to recover for fraud, as in any other tort, the plaintiff must plead and prove the "detriment proximately caused" by the defendant's tortious conduct. (Civ. Code, § 3333.)

47. In the instant case, Defendant, Association Lien Services, misrepresented to Plaintiff that it was a licensed corporation while sending Plaintiff letters with threats of default and or foreclosing, and attempts to collect a consumer debt.

48. Additionally, Defendant, Association Lien Services, misrepresented to Plaintiff that it was a law firm, attorney, and or law corporation while sending Plaintiff letters with threats of default and foreclosing, and attempts to collect a consumer debt.

1 49. Defendant, Association Lien Services, knowingly and falsely misrepresented
2 itself as a licensed corporation when in fact at the time its license was suspended as of
3 March 10, 2003.

4 50. Additionally, Defendant, Association Lien Services, knowingly and falsely
5 misrepresented itself as a law firm, attorney, and or law corporation when in fact it
6 was a debt collection corporation.

7 51. Defendant, Association Lien Services, knowingly and falsely misrepresented
8 itself with intent to induce Plaintiff's reliance on said misrepresentation. Said reliance
9 was justifiable because Defendant purported to be licensed and also purported to be a
10 law firm to Plaintiff which resulted actual damages to Plaintiff. That as a result of the
11 Defendant's, Association Lien Services conduct, Plaintiff has been harmed and has
12 suffered damages in the form of monetary losses, extreme embarrassment,
13 humiliation, shame, stress, anxiety, aggravation and sleepless nights.

14 52. That as a direct proximate result of Defendant, Association Lien Services
15 misrepresentation as alleged herein, Plaintiff has suffered injury in fact and lost money
16 and/or property.

17 18 19 20 21 **WHEREFORE**, Plaintiff respectfully prays that judgment be entered against Defendants in
22 the amount of:

23 (a) Statutory damages and actual damages pursuant to 15 USC sec. 1692k in an
24 amount to be determined at the time of trial on the first cause of action.

25 (b) Statutory damages and actual damages pursuant to Civil Code section 1788.30
26 as to the second cause of action.
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1 (c) Statutory damages and actual damages pursuant to Civil Code section 4000 as
2 to the third cause of action.

3 (d) Damages and restitution pursuant to the California Business and Professions
4 Code section 17200 as to the fourth cause of action.

5 (e) Statutory Damages and actual damages pursuant to fraud and or negligent
6 misrepresentation.

7 (f) Cost and reasonable attorney's fees pursuant to 15 USC section 1692k and
8 Civil Code section 1788.30.

9 (g) For such other and further relief as may be just and proper.

10 (h) Plaintiff requests trial by jury on all issues so triable.

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13 Dated: March 4, 2016
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15
16 Respectfully Submitted

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19 Teresa McClendon
20 Plaintiff in pro per
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I. (a) PLAINTIFFS (Check box if you are representing yourself ☒)

Teresa McClendon

DEFENDANTS (Check box if you are representing yourself ☐)ALS AKA Association / NEW SERVICES,
ET AL(b) County of Residence of First Listed Plaintiff Los Angeles

(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant

(IN U.S. PLAINTIFF CASES ONLY)

(c) Attorneys (Firm Name, Address and Telephone Number) If you are representing yourself, provide the same information.

Teresa McClendon
325 N. Maple Drive
Beverly Hills, CA 90213

Attorneys (Firm Name, Address and Telephone Number) If you are representing yourself, provide the same information.

II. BASIS OF JURISDICTION (Place an X in one box only.)☐ 1. U.S. Government Plaintiff☒ 3. Federal Question (U.S. Government Not a Party)☐ 2. U.S. Government Defendant☐ 4. Diversity (Indicate Citizenship of Parties in Item III)**III. CITIZENSHIP OF PRINCIPAL PARTIES**-For Diversity Cases Only
(Place an X in one box for plaintiff and one for defendant)

Citizen of This State

PTF ☐ 1 DEF ☐ 1

Incorporated or Principal Place of Business in this State

PTF ☐ 4 DEF ☐ 4

Citizen of Another State

☐ 2 ☐ 2

Incorporated and Principal Place of Business in Another State

☐ 5 ☐ 5

Citizen or Subject of a Foreign Country

☐ 3 ☐ 3

Foreign Nation

☐ 6 ☐ 6**IV. ORIGIN** (Place an X in one box only.)☒ 1. Original Proceeding☐ 2. Removed from State Court☐ 3. Remanded from Appellate Court☐ 4. Reinstated or Reopened☐ 5. Transferred from Another District (Specify)☐ 6. Multi-District Litigation**V. REQUESTED IN COMPLAINT: JURY DEMAND:** ☒ Yes ☐ No (Check "Yes" only if demanded in complaint.)**CLASS ACTION** under F.R.Cv.P. 23: ☐ Yes ☒ No☒ **MONEY DEMANDED IN COMPLAINT:** \$ To be Determined**VI. CAUSE OF ACTION** (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)

See Complaint attached

15 U.S.C. § 1692

VII. NATURE OF SUIT (Place an X in one box only.)

OTHER STATUTES	CONTRACT	REAL PROPERTY CONT.	IMMIGRATION	PRISONER PETITIONS	PROPERTY RIGHTS
<input type="checkbox"/> 375 False Claims Act	<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 462 Naturalization Application	Habeas Corpus:	<input type="checkbox"/> 820 Copyrights
<input type="checkbox"/> 376 Qui Tam (31 USC 3729(a))	<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 463 Alien Detainee	<input type="checkbox"/> 830 Patent
<input type="checkbox"/> 400 State Reapportionment	<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 290 All Other Real Property	TORTS	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 840 Trademark
<input type="checkbox"/> 410 Antitrust	<input type="checkbox"/> 140 Negotiable Instrument	TORTS PERSONAL INJURY	PERSONAL PROPERTY	<input type="checkbox"/> 530 General	SOCIAL SECURITY
<input type="checkbox"/> 430 Banks and Banking	<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 861 HIA (1395ff)
<input type="checkbox"/> 450 Commerce/ICC Rates/Etc.	<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 371 Truth in Lending	Other:	<input type="checkbox"/> 862 Black Lung (923)
<input type="checkbox"/> 460 Deportation	<input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Vet.)	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 540 Mandamus/Other	<input type="checkbox"/> 863 DIWC/DIWW (405 (g))
<input type="checkbox"/> 470 Racketeer Influenced & Corrupt Org.	<input type="checkbox"/> 153 Recovery of Overpayment of Vet. Benefits	<input type="checkbox"/> 330 Fed. Employers' Liability	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 550 Civil Rights	<input type="checkbox"/> 864 SSID Title XVI
<input type="checkbox"/> 480 Consumer Credit	<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 340 Marine	BANKRUPTCY	<input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 865 RSI (405 (g))
<input type="checkbox"/> 490 Cable/Sat TV	<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 560 Civil Detainee Conditions of Confinement	FEDERAL TAX SUITS
<input type="checkbox"/> 850 Securities/Commodities/Exchange	<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 423 Withdrawal 28 USC 157	FORFEITURE/PENALTY	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)
<input checked="" type="checkbox"/> 890 Other Statutory Actions	<input type="checkbox"/> 196 Franchise	<input type="checkbox"/> 355 Motor Vehicle Product Liability	CIVIL RIGHTS	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
<input type="checkbox"/> 891 Agricultural Acts	REAL PROPERTY	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 690 Other	
<input type="checkbox"/> 893 Environmental Matters	<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 362 Personal Injury-Med Malpractice	<input type="checkbox"/> 441 Voting	LABOR	
<input type="checkbox"/> 895 Freedom of Info. Act	<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 365 Personal Injury-Product Liability	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 710 Fair Labor Standards Act	
<input type="checkbox"/> 896 Arbitration	<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability	<input type="checkbox"/> 443 Housing/Accommodations	<input type="checkbox"/> 720 Labor/Mgmt. Relations	
<input type="checkbox"/> 899 Admin. Procedures Act/Review of Appeal of Agency Decision		<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 445 American with Disabilities-Employment	<input type="checkbox"/> 740 Railway Labor Act	
<input type="checkbox"/> 950 Constitutionality of State Statutes			<input type="checkbox"/> 446 American with Disabilities-Other	<input type="checkbox"/> 751 Family and Medical Leave Act	
			<input type="checkbox"/> 448 Education	<input type="checkbox"/> 790 Other Labor Litigation	
				<input type="checkbox"/> 791 Employee Ret. Inc. Security Act	

FOR OFFICE USE ONLY:

Case Number:

CV-71 (02/16)

CIVIL COVER SHEET

Page 1 of 3

CV16-1690

VIII. VENUE: Your answers to the questions below will determine the division of the Court to which this case will be initially assigned. This initial assignment is subject to change, in accordance with the Court's General Orders, upon review by the Court of your Complaint or Notice of Removal.

QUESTION A: Was this case removed from state court? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "no," skip to Question B. If "yes," check the box to the right that applies, enter the corresponding division in response to Question E, below, and continue from there.	STATE CASE WAS PENDING IN THE COUNTY OF: <input type="checkbox"/> Los Angeles, Ventura, Santa Barbara, or San Luis Obispo <input type="checkbox"/> Orange <input type="checkbox"/> Riverside or San Bernardino	INITIAL DIVISION IN CACD IS: Western Southern Eastern	
QUESTION B: Is the United States, or one of its agencies or employees, a PLAINTIFF in this action? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "no," skip to Question C. If "yes," answer Question B.1, at right.	B.1. Do 50% or more of the defendants who reside in the district reside in Orange Co.? <i>check one of the boxes to the right</i> →	YES. Your case will initially be assigned to the Southern Division. <input type="checkbox"/> Enter "Southern" in response to Question E, below, and continue from there. <input type="checkbox"/> NO. Continue to Question B.2.	
	B.2. Do 50% or more of the defendants who reside in the district reside in Riverside and/or San Bernardino Counties? (Consider the two counties together.) <i>check one of the boxes to the right</i> →	YES. Your case will initially be assigned to the Eastern Division. <input type="checkbox"/> Enter "Eastern" in response to Question E, below, and continue from there. NO. Your case will initially be assigned to the Western Division. <input type="checkbox"/> Enter "Western" in response to Question E, below, and continue from there.	
QUESTION C: Is the United States, or one of its agencies or employees, a DEFENDANT in this action? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "no," skip to Question D. If "yes," answer Question C.1, at right.	C.1. Do 50% or more of the plaintiffs who reside in the district reside in Orange Co.? <i>check one of the boxes to the right</i> →	YES. Your case will initially be assigned to the Southern Division. <input type="checkbox"/> Enter "Southern" in response to Question E, below, and continue from there. <input type="checkbox"/> NO. Continue to Question C.2.	
	C.2. Do 50% or more of the plaintiffs who reside in the district reside in Riverside and/or San Bernardino Counties? (Consider the two counties together.) <i>check one of the boxes to the right</i> →	YES. Your case will initially be assigned to the Eastern Division. <input type="checkbox"/> Enter "Eastern" in response to Question E, below, and continue from there. NO. Your case will initially be assigned to the Western Division. <input type="checkbox"/> Enter "Western" in response to Question E, below, and continue from there.	
QUESTION D: Location of plaintiffs and defendants?	A. Orange County	B. Riverside or San Bernardino County	C. Los Angeles, Ventura, Santa Barbara, or San Luis Obispo County
Indicate the location(s) in which 50% or more of <i>plaintiffs who reside in this district</i> reside. (Check up to two boxes, or leave blank if none of these choices apply.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Indicate the location(s) in which 50% or more of <i>defendants who reside in this district</i> reside. (Check up to two boxes, or leave blank if none of these choices apply.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
D.1. Is there at least one answer in Column A? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "yes," your case will initially be assigned to the SOUTHERN DIVISION. Enter "Southern" in response to Question E, below, and continue from there. If "no," go to question D2 to the right. →	D.2. Is there at least one answer in Column B? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If "yes," your case will initially be assigned to the EASTERN DIVISION. Enter "Eastern" in response to Question E, below. If "no," your case will be assigned to the WESTERN DIVISION. Enter "Western" in response to Question E, below. ↓		
QUESTION E: Initial Division?	INITIAL DIVISION IN CACD		
Enter the initial division determined by Question A, B, C, or D above: →	WESTERN		
QUESTION F: Northern Counties? Do 50% or more of plaintiffs or defendants in this district reside in Ventura, Santa Barbara, or San Luis Obispo counties? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			

IX(a). IDENTICAL CASES: Has this action been previously filed in this court?

☒ NO ☐ YES

If yes, list case number(s): _____

IX(b). RELATED CASES: Is this case related (as defined below) to any civil or criminal case(s) previously filed in this court?

☒ NO ☐ YES

If yes, list case number(s): _____

Civil cases are related when they (check all that apply):

- ☐ A. Arise from the same or a closely related transaction, happening, or event;
☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
☐ C. For other reasons would entail substantial duplication of labor if heard by different judges.

Note: That cases may involve the same patent, trademark, or copyright is not, in itself, sufficient to deem cases related.

A civil forfeiture case and a criminal case are related when they (check all that apply):

- ☐ A. Arise from the same or a closely related transaction, happening, or event;
☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
☐ C. Involve one or more defendants from the criminal case in common and would entail substantial duplication of labor if heard by different judges.

**X. SIGNATURE OF ATTORNEY
 (OR SELF-REPRESENTED LITIGANT):**

DATE: MARCH 11, 2016

Notice to Counsel/Parties: The submission of this Civil Cover Sheet is required by Local Rule 3-1. This Form CV-71 and the information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. For more detailed instructions, see separate instruction sheet (CV-071A).

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405 (g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))